

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

JANE DOE,

Plaintiff,

vs.

BOARD OF REGENTS OF THE
UNIVERSITY OF NEBRASKA; and
individuals TAMIKO STRICKMAN and
JOHN ROE, individually and in their
official capacities; and OTHER
UNIDENTIFIED DEFENDANTS;

Defendants.

Case No. 4:21-cv-03049

MOTION TO EXCEED WORD LIMIT

COME NOW Defendants, Board of Regents of the University of Nebraska and Tamiko Strickman (“Defendants”), pursuant to NECivR 7.1(d)(2), and hereby move the Court for an Order allowing them to exceed the limits of 6,500 words for their Reply Brief in support of Motion for Summary Judgment. In support, Defendants state:

1. Plaintiff has presented narratives in response to approximately 23 of Defendants’ Statement of Undisputed Facts. BRUN requires the additional word count to address Plaintiff’s narratives in response to BRUN’s statement of undisputed facts and also address Defendants’ objections to Plaintiff’s responses therein.
2. In addition, the Plaintiff has presented an Additional Statement of Facts. BRUN requires the additional word count to address evidentiary issues incorporated and utilized in support of Plaintiff’s Additional Statement of Facts and Plaintiff’s Brief in Opposition, and also assert argument about the relevance or materiality of the asserted facts, per NECivR 56.1(b)(1)(B). Specifically, NECivR 56.1(b)(1)(B) provides “A response may not assert legal arguments except to make an objection to the evidentiary support for the asserted fact or the admissibility of that evidence. Arguments about the relevance

or materiality of an asserted fact may be raised in the argument section of a brief, but are not a proper basis for disputing that fact.”

3. BRUN requires the additional word count to address the various intricacies of the invoked laws, particularly the application of *Cummings* to the various types of damages alleged by the Plaintiff.

4. BRUN requires the additional word count to address at least five of the case laws relied upon by Plaintiff to support her various arguments. BRUN intends to analyze these cases in greater detail to draw the Court’s attention to the distinguishing factors between these cases and this case.

5. Counsel for Defendants has contacted counsel for Plaintiff and Plaintiff’s counsel has represented she will not consent to this request.

6. Accordingly, Defendants respectfully requests leave to file a Reply Brief not to exceed 9,000 words.

WHEREFORE, Defendants respectfully request that the Court grant its Motion to Exceed Word Limit from 6,500 to 9,000 total words.

BOARD OF REGENTS OF THE
UNIVERSITY OF NEBRASKA and
TAMIKO STRICKMAN, Defendants.

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CERTIFICATE OF SERVICE

I hereby certify that on December 28, 2023, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to all parties who have entered an appearance in this case.

/s/ Lily Amare
Lily Amare

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